

COPY

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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,

V.

DARRIN BURNS,

Defendant.

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Criminal Action No. 08-

56

INDICTMENT

The Grand Jury for the District of Delaware charges that:

COUNT ONE

On or about March 14, 2008, in the State and District of Delaware, DARRIN BURNS, defendant herein, did knowingly possess with intent to distribute a mixture and substance containing a detectable amount of cocaine base, a controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT TWO

On or about March 14, 2008, in the State and District of Delaware, DARRIN BURNS, defendant herein, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States (to wit, possession of cocaine base with the intent to distribute it, a violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C) as set forth in Count I of this Indictment and incorporated by reference as if fully set forth herein), knowingly possessed

a firearm, that is, a Smith & Wesson, 9 mm model 5906 semi-automatic handgun, serial number TVK6939, all in violation of Title 18, United States Code, Section 924(c).

COUNT THREE

On or about March 14, 2008, in the State and District of Delaware, DARRIN BURNS, defendant herein, did knowingly possess in and affecting interstate commerce, a firearm, that is, a Smith & Wesson, 9 mm model 5906 semi-automatic handgun, serial number TVK6939, after having been convicted of a crime punishable by imprisonment for a term exceeding one year, in the Superior Court of the State of Delaware in and for New Castle County, Delaware, in violation of Title 18, United States Code, Sections 922(g)(1) & 924(a)(2).

NOTICE OF FORFEITURE

Upon conviction of the offense alleged in Count Three of this Indictment, defendant shall forfeit to the United States pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), all firearms

and ammunition involved in the commission of the offense, including but not limited to the following:

1. the Smith & Wesson, 9 mm model 5906 semi-automatic handgun, serial number TVK6939 and
2. eight (8) rounds of 9 mm ammunition.

A TRUE BILL:

Foreperson

COLM F. CONNOLLY
United States Attorney

BY: 

Joseph Grubb
Special Assistant United States Attorney

Dated: April 10, 2008